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Protracted conflicts in the GUAM area and their implications for international peace, security and development

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Sixty-third year

Identical letters dated 10 July 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit the statements of the Ministry of Foreign Affairs of Georgia regarding the latest incident in the Kodori Gorge of Abkhazia, Georgia, and the violation of the airspace of Georgia by the military aircraft of the Russian Federation in the Tskhinvali region of Georgia (see annexes).

I should be grateful if the present letter and its annexes were circulated as a document of the General Assembly, under agenda item 16, and of the Security Council.

I have the honour to inform you that the radar data on the violation of the airspace of Georgia by the military aircraft of the Russian Federation in the Tskhinvali region is available on the following links: ftp://ftp.mfa.gov.ge/maxata/maxata.wmv and http://rapidshare.com/files/128382378/maxata.wmv.html.

(*Signed*) Irakli **Chikovani**
Chargé d'affaires a.i.

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Annex I to the identical letters dated 10 July 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

10 July 2008

On 9 July 2008, in the Kodori Gorge, an unidentified armed gang attacked a unit of policemen of the Ministry of Internal Affairs of Georgia patrolling the area in the direction of the villages of Deluki, Achamkhara and Kvabchara. As a result three Georgian policemen were wounded, one of them severely. Along with the Georgian side, UNOMIG is actively involved in an ongoing investigation process. The patrolling conducted by Georgian policemen aimed at examining the gorge territory ahead of a planned visit by United Nations monitors. In September 2007, in the Kodori Gorge, Georgian law-enforcement units unarmed an illegal armed gang of separatists, which the Abkhaz side claimed was an anti-terrorist division undergoing training. Today's incident disclosed what was the type and aim of this "anti-terrorist" division.

The same day, in the early hours of 9 July, a Georgian police post came under gunfire attack close to the Shamgona-Akhali Abastumani section of the Abkhaz administrative border. Fortunately, no one was injured.

The Georgian side considers these facts as a logical follow-up to the acts of violence taking place on the territory of Abkhazia, Georgia, in the recent period. It needs to be noted that the separatist regime's armed provocation coincides with a forthcoming visit of the United Nations assessment mission instructed by the Secretary-General to provide a comprehensive assessment of the peacekeeping process in Abkhazia, Georgia.

The separatist regime's systematic armed provocations take place against the background of Georgia's active efforts aimed at implementation of the peace initiatives for conflict resolution, which should serve as a prerequisite to stabilization of the situation and comprehensive settlement of the conflicts.

But it does not seem to come in the interests of separatists who benefit from the Russian Federation's support under cover of the CIS peacekeeping operation. The Ministry of Foreign Affairs of Georgia has on more than one occasion focused the international community's attention on the Russian military build-up in Abkhazia, Georgia, which poses a threat to peace and stability in the region.

The Ministry of Foreign Affairs of Georgia unequivocally condemns any act of violence and calls on the international community to give a due assessment to them. At the same time Georgia reaffirms its readiness to cooperate with all parties concerned for peaceful resolution of the conflicts.

Annex II to the identical letters dated 10 July 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

Statement of the Ministry of Foreign Affairs of Georgia

10 July 2008

On 9 July 2008 the Ministry of Foreign Affairs of Georgia issued a statement concerning yet another act of aggression committed against Georgia by the Russian Federation — intrusion of four Russian air force aircraft into Georgian airspace above the territory of the Tskhinvali region.

On 10 July the Ministry of Foreign Affairs of the Russian Federation made a comment in which the Russian side officially recognized this act of aggression.

The Ministry of Foreign Affairs of Georgia states that the Russian Federation's cynical annexation of integral parts of the Georgian territory has turned into an undisguised and extremely dangerous military aggression.

It is particularly noteworthy that the Russian side, which has until now obstinately denied responsibility for its own actions, carried out this illegal, irresponsible and destructive act in an absolutely open and undisguised manner. However, failing to break its old "tradition", Russia again levelled accusations against the Georgian side in its previous statement posted on 9 July 2008.

The incident that took place indicates clearly that the Russian Federation has definitely made a decision to disregard the principles of respect for Georgia's sovereignty, territorial integrity, inviolability of borders and non-interference in its internal affairs upheld by the universally recognized norms of international law.

The action committed by the Russian side represents a violation of the Charter of the United Nations (Article 2, paragraph 4) stipulating that all Members of the United Nations should refrain from the threat or use of force against the territorial integrity or political independence of any other State. Furthermore, according to General Assembly resolution 3314 (XXIX) of 1974, on the Definition of Aggression, Russia committed an act of aggression by carrying out a military incursion into the territory of Georgia.

Undoubtedly, no State has the discretion to undertake forceful actions on the territory of any other State and there is no legal or political justification whatsoever for such actions whether motivated by "preventive" or other purposes.

The Ministry of Foreign Affairs of Georgia emphasizes that the act of open aggression committed by the Russian Federation poses a direct threat to peace and security not only in Georgia and the South Caucasus but also in the Caucasus region as a whole.

Moreover, such actions of the Russian Federation derail the processes aimed at peaceful resolution of the conflicts in Georgia. Against this background, the international community can already have no doubts about the ineffectiveness of the established peace formats and the necessity of their immediate revision.

The Ministry of Foreign Affairs of Georgia states that the Georgian side will employ all political, diplomatic and legal instruments at its disposal to lead the international community to give an adequate assessment to the Russian side's military aggression directed against Georgia. It is also obvious that the international community's firm and unequivocal position will be of paramount importance in terms of avoiding recurrence of such dangerous and deliberate provocations in the future.

The Ministry of Foreign Affairs of Georgia states that Georgia, despite Russia's aggressive steps, will do all in its power to achieve progress in the peaceful settlement process and restoration of Georgia's territorial integrity.